

Appl. No. 09/900,959

Reply to the Office Action of: December 20, 2005

REMARKS

The Applicants would firstly like to thank the Examiner for the courtesy of extending and granting an interview on the above application at which the distinctions of the present invention over the art of record was discussed. By way of the present amendment, the Applicants are presenting to the Examiner language discussed during the interview that is believed to further emphasize the distinctions over the art in a manner that avoids the interpretation previously placed on the claim.

Claim 1 as amended now requires that for each evaluation of the distinguishing value against the reference value, one of the branches is selected and a random number of instructions are executed within said one branch. Thus, there is no deterministic number of steps depending upon the branch selected and observation of the operation of the processor will not yield information regarding the branch selected.

In the art referenced as Figure 1, there is no discussion of introducing a random number of instructions within the selected branch. The secondary reference of Deitel which shows if/else branches with a different number of instructions in each branch does not suggest a random number of instructions within each of the branches that may be selected.

The Deitel reference is silent as to any degree of variability and the number of instructions within each branch.

The combination of references relied on by the Examiner is inappropriate in that there is no motivation to combine such references. The secondary reference of Deitel simply describes standard programming steps and does not concern itself in any way with the problem of masking the nature of the branch followed by introducing a variability into the number of steps involved. Accordingly, a person faced with prior art representatives, Figure 1 of the present application would find no suggestion of a solution within the Deitel reference and indeed no motivation to combine the teachings of Deitel with that art.

Even if such a combination were made, that result would not be the invention presently claimed as each branch selected would execute the same number of instructions each time the branch is selected. There is no suggestion of executing a random number of instructions within the branch when that particular is selected.

Accordingly, it is believed that claim 1 clearly and patentably distinguishes over the art of record and the balance of the claims dependent upon claim 1 likewise are in condition for

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allowance.

New claims 27 to 30 have been added that are directed to the steps performed by the program that results from the method of claim 1. The distinctions over the art are included in claim 27 and therefore these claims are believed to be in condition for allowance.

Similarly, new claims 31 to 34 have been included and are directed to a token having a processor to execute the steps of claim 27. The limitations of claim 1 are found in claim 31 and accordingly these claims are believed to be allowable.

Applicant requests early reconsideration and allowance of the present application.

Respectfully submitted,



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Date: February 14, 2006

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